

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:08CR3053
	)	
v.	)	
	)	MEMORANDUM AND ORDER
KENNETH E. WITT,	)	
	)	
Defendant.	)	
	)	

---

Defendant has moved for an amendment to his conditions of release which eliminate a travel restriction, limiting his travel to the state of Nebraska, so he could work on a traveling wheat harvesting crew. The government has no objections to the motion. However, the pretrial services officer has raised concerns that the defendant should be given an opportunity to address. The officer reports that he was advised by the defendant's state probation officer that he was on a harvesting crew during her supervision of him, and he was caught drinking. While that would not ordinarily be major, this defendant has four convictions for driving under the influence, and further reportedly is currently facing a revocation of his state probation for failure to follow up on treatment. Because working on a harvesting crew would pose difficult supervision problems, defendant should propose additional conditions that would safeguard the community if the travel restriction is lifted.

IT THEREFORE HEREBY IS ORDERED,

Defendant is given until May 27, 2008 to amend his motion to provide additional safeguards to the community, in the absence of which the motion will stand denied.

DATED this 12<sup>th</sup> day of May, 2008.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge